Remarks/Arguments

The Examiner has noted that the Application currently names joint inventors. The Examiner correctly presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made.

This invention relates to a method and apparatus for supporting an interworking between a wireless local area network and a mobile communications network, in which a control path and a data path take different routes. More specifically, the control path uses node B of a mobile communications network, whereas the data path bypasses the node B.

Claims 1 and 14 have been rejected under 35 USC 102(e) as anticipated by US 2004/0082366 to Longoni et al. Claim 1 has been amended to incorporate the subject matter of Claim 12; Claim 14 has been amended to incorporate the subject matter of Claims 16 and 24. Claims 12, 16 and 24 have been cancelled. The Applicants respectfully request the Examiner to reconsider his rejection in view of the Applicants' amendments.

Nowhere does Longoni et al. show or suggest:

"forming a data path from a user equipment to the interworking function to the serving radio network controller to the serving general packet radio service support node to the gateway general packet radio service support node; and

forming a control path from the user equipment to the node B to the serving radio network controller to the serving general packet radio service support node to the gateway general packet radio service support node",

as specifically recited in Claim 1 as amended. The Examiner has pointed to ¶0023, ¶0041, ¶0042 and ¶0043 of Longoni et al. However, none of these

paragraphs set forth or suggest separate paths for data and control information. The Applicants therefore submit that the patentability of Claim 1 as amended is not affected by Longoni et al.

Similarly, nowhere does Longoni et al. show or suggest:

"means for forming a data path from a user equipment to the interworking function to the serving radio network controller to the serving general packet radio service support node to the gateway general packet radio service support node; and

means for forming a control path from the user equipment to the node B to the serving radio network controller to the serving general packet radio service support node to the gateway general packet radio service support node",

as specifically recited in Claim 14 as amended. It is therefore clear that Longoni et al. also does not affect the patentability of Claim 14 as amended.

Claims 2-11 and 13 are dependent from Claim 1 and add further advantageous features. The Applicants submit that these subclaims are patentable as their parent Claim 1.

Similarly, Claims 15, 17 -23 and 25 are dependent from Claim 14 and add further advantageous features. The Applicants submit that these subclaims are patentable as their parent Claim 14.

The Examiner has applied US 2001/0027490 to Fodor et al, to subclaims 9-11 and 21-23. Since nowhere does Fodor et al show or suggest any wireless local area network, nor separate paths for control and data signals, it is clear that, even if the subject matter of Fodor et al were to be combined with the subject matter of Longoni et al, the patentability of parent Claims 1 and 14 as amended would not be affected.

The Applicants therefore submit that the Application is now in condition for allowance. A notice to that effect is respectfully solicited.

Respectfully submitted,
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